

CHAPTER NO. 31

SENATE BILL NO. 2019

By Graves

Substituted for: House Bill No. 2097

By McDonald

AN ACT to amend Chapter 568 of the Private Acts of 1939; as amended by Chapter 123 of the Private Acts of 1970 and Chapter 107 of the Private Acts of 1981; and any other acts amendatory thereto, relative to the powers of the City of Portland.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Article II, Section 1 of Chapter 568 of the Private Acts of 1939; as amended by Chapter 123 of the Private Acts of 1970 and Chapter 107 of the Private Acts of 1981, and any other acts amendatory thereto, is amended by adding the following new items to such section:

( ) To impose such fees on persons or entities developing land within the service area of any city-owned utility within and without the corporate limits as the city deems appropriate to pay the cost of capital improvements and other expenses related to such developments including, but not limited to, improvements and expenses for street repair and construction, water and wastewater services and facilities, natural gas services and facilities, electric service and facilities, and other city-owned utility services and facilities, storm sewers and facilities, educational services and facilities, parks and recreational facilities, police protection, fire protection, garbage collection and disposal, and the providing of administrative services.

( ) To impose such fees on persons or entities developing land within the corporate limits as the city deems appropriate to pay the cost of capital improvements and other expenses related to such developments including, but not limited to, improvements and expenses for street repair and construction, water services or facilities, storm sewers or facilities, educational services or facilities, parks and recreational facilities, police protection, fire protection, garbage collection or disposal, and the providing of administrative services.

( ) To establish, open, relocate, vacate, alter, widen, extend, grade, improve, repair, construct, reconstruct, maintain, light, sprinkle and clean public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public grounds, public facilities, libraries and squares, wharves, bridges, viaducts, subways, tunnels, sewers and drains within or without the corporate limits, regulate their use within corporate limits, and assess fees for the use of or impact upon such property and facilities.


SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Portland. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.

**PASSED: April 28, 2003**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 2<sup>nd</sup> day of May 2003**

  
PHIL BREDESEN, GOVERNOR